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Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

LM51/1028

JOHN M. CONE
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| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|-----------------------|-------------|---------------------------|-----------------------------|---------------|
| 08/788,613 | 01/24/97 | 077 | CALDWELL, A | 2758 10/28/99 |
| First Named Applicant | PAYNE, | 35 USC 154(b) term ext. = | | |

TITLE OF INVENTION: SYSTEM FOR BROADCASTING INFORMATION FROM A CENTRAL SERVER AND INSTANTANEOUSLY GENERATING ALERTS UPON RECEIPT REGARDLESS OF WHETHER THE RECEIVER IS ON OR OFF (AS AMENDED)

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|----------|----------|
| 0 6328-117 | 709-219.000 | D60 | UTILITY | YES | \$605.00 | 01/28/00 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 08/788,613 | 01/24/97 | PAYNE | J 6328-117 |

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EXAMINER

CALDWELL, A

ART UNIT PAPER NUMBER

2758

DATE MAILED: 10/28/99

24/D

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Allowability

Application No.
08/788,613

Applicant(s)

Payne et al.

Examiner
Andrew Caldwell

Group Art Unit
2758



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to Amendment filed on September 9, 1999

☒ The allowed claim(s) is/are 51-55 and 84-155

☒ The drawings filed on Apr 28, 1997 are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

ZARNI MAUNG
PRIMARY EXAMINER

Information Disclosure Statement

1. The IDS filed on July 9, 1999 has been considered, but the copy of the Motorola reference published on April 21, 1996 is not completely legible. To the extent that the information disclosed in the reference dated April 21, 1996 is the same as the information in the Motorola reference published on June 24, 1995, the former reference has been considered.
2. The status of this reference cannot be understood without a brief summary of its prosecution history. The reference was first cited on a Form 1449 submitted as part of paper number 14 filed on September 16, 1997. The reference was not considered because no copy was provided. It should also be noted that the reference's date is not cited properly on paper number 14.
3. Since the reference appeared to have been lost by the PTO, the Examiner only required the Applicants to submit copies of the nonpatent literature. The Applicants attempted to provide a copy in paper number 17, filed on July 9, 1999, but failed to find a legible copy of the reference dated April 21, 1996 either in their files or on the Internet. The Applicants therefore submitted copies of both references in paper number 17 an incompletely legible copy of the reference dated April 21, 1996 and a legible copy of a reference dated June 24, 1995. The Applicants then alleged that the earlier reference appears to disclose the same material. To the best of the Examiner's ability, the Applicants' allegation appears to be true. The

reference submitted as an attachment to paper number 23 is a copy of the reference dated June 24, 1995 and not a copy of the reference dated April 21, 1996.

24/D
1/2K
11-3-99

Examiner's Amendment

4. An Examiner's Amendment to the record appears below. In a telephone interview on October 22, 1999, the Applicants' attorney Scott Rhoades, Reg. No. 44,300, authorized the Examiner's amendment to fix specification problems concerning Figures 5-1 and 5-2 and IDS citation problems in paper number 17. The Examiner corrected the date of the second reference listed on the Form 1449 as part of paper number 17 based on the true p.

5. The amendments to the title and abstract are made at the Examiner's initiative and without the Applicants' prior authorization pursuant to MPEP §§ 606.01, 608.01(b), and 1302.04.

6. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

7. In the specification:

On page 7 at line 17, delete "FIG. 5" and insert "FIGS. 5-1 and 5-2"

On page 23 at line 22, delete "FIG. 5" and insert "FIGS. 5-1 and 5-2"

On page 23 at line 26, delete "FIG. 5" and insert "FIGS. 5-1 and 5-2"

8. Pursuant to MPEP 606.01, please change the title to:

SYSTEM FOR BROADCASTING INFORMATION FROM A CENTRAL
SERVER AND INSTANTANEOUSLY GENERATING ALERTS UPON
RECEIPT REGARDLESS OF WHETHER THE RECEIVER IS ON OR OFF

9. Please enter the substitute abstract attached to this document on a separate sheet.


Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Caldwell, whose telephone number is (703) 306-3036. The examiner can normally be reached on M-F from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, Ahmad Matar, can be reached at (703) 305-4731. Additionally, the fax phone for Art Unit 2758 is (703) 305-9731.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-9600.

Andrew Caldwell
October 24, 1999


ZARNI MAUNG
PRIMARY EXAMINER

ABSTRACT

A system and method for data communication connecting on-line networks with on-line and off-line computers. The present system provides for broadcast of up to the minute notification centric data thereby providing an instant call to action for users who are provided with the ability to instantaneously retrieve further detailed information. Information sources transmit data to a central broadcast server, which preprocesses the data for wireless broadcast. The notification centric portions of data are wirelessly broadcast to wireless receiving devices that are attached to computing devices. Upon receipt of the data at the computing device, the user is notified through different multimedia alerts that there is an incoming message. Wirelessly broadcast URL's, associated with the data, are embedded in data packets and provide an automated wired or wireless connection back to the information source for obtaining detailed data.